

FILED (Clerk)

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U.S. DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
DETROIT, MI 48202-3633
Case No. 5:04-cv-0121
By Clerk

UNITED STATES DISTRICT COURT
IN THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CHRISTIAN T. REINHARDT, IV,

Plaintiff,

vs.

DYNAMIC NETWORK SERVICES, INC., a
Delaware corporation doing business in
Michigan, DYNAMIC DNS NETWORK
SERVICES, LLC, a Delaware limited liability
company, TIMOTHY J. WILDE, JEREMY
HITCHCOCK and THOMAS DALY,

Defendants.

Civil Action No.

5:04cv0121

Honorable:

John C. Schlinker, Jr.
Courtroom Director
Courtroom Director Judge

DYKEMA GOSSETT: A PROFESSIONAL LIMITED LIABILITY COMPANY-124 W. ALLEGAN STREET, SUITE 800-LANSING, MI 48933

| | |
|------------------------------|----------------------------------|
| John C. Schlinker (P43188) | Lori McAllister (P39501) |
| Lee B. Reimann (P51895) | Kiffi Y. Ford (P54852) |
| Willingham & Cote, P.C. | Attorneys for Defendants |
| Attorneys for Plaintiff | Dykema Gossett PLLC |
| 333 Albert Avenue, Suite 500 | 124 W. Allegan Street, Suite 800 |
| East Lansing, MI 48823-4394 | Lansing, MI 48933 |
| (517) 351-6200 | (517) 374-9100 |

NOTICE OF REMOVAL

Defendant hereby gives notice that this action is removed from the Circuit Court for the County of Ingham to the United States District Court for the Western District of Michigan, Southern Division pursuant to 28 U.S.C. §§ 1441 and 1446. In support thereof, for the purpose of removal only, Defendants state as follows:

1. On or around July 26, 2004, Plaintiff commenced this action against Defendants in the Ingham County Circuit Court, Case No. 04-1020-CZ. Copies of all process, pleadings, and orders served upon Defendants in such action are contained in the Exhibit A filed herewith, and no other proceedings have been had or pleadings filed or orders entered.

2. The parties to this action are of diverse citizenship, as follows:
 - A. Plaintiff Christian T. Reinhardt, IV, is a citizen of the State of Michigan.
 - B. Defendant Dynamic Network Services, Inc., is a Delawarecorporation with its principal place of business in New Hampshire.
 - C. Dynamic DNS Network Services LLC, is a dissolved Massachusetts limited liability company which no longer has a place of business.
 - D. Timothy Wilde is a citizen of State of New Hampshire.
 - E. Jeremy Hitchcock is a citizen of the State of New Hampshire.
 - F. Thomas Daly is a citizen of the State of New Hampshire.
3. This is a civil action alleging that Defendants owe Plaintiff in excess of \$75,000, exclusive of interest, attorneys fees and costs. Plaintiff alleges that Defendants may owe him approximately \$9,000,000 in connection with the alleged sale of Defendant DNS, Inc. to a non-party corporate entity. (Complaint, ¶¶ 10-11).
4. The Plaintiff and all Defendants are citizens of different states. Accordingly, the Court has original jurisdiction over this action pursuant to 28 U.S.C. § 1332.
5. Defendants are entitled to remove this action from the state court to this Court because this Court has original jurisdiction pursuant to 28 U.S.C. § 1441 *et seq.*
6. Defendants file this Notice within 30 days after receipt by Defendants of the Summons and Complaint, being July 26, 2004.
7. This Notice of Removal has been served upon Plaintiff, through his counsel, by mail and is being filed concurrently with the Clerk of the Court for the County of Ingham, State of Michigan, pursuant to 28 U.S.C. § 1446(d).

WHEREFORE, Defendants give notice that the above action now pending against them in the Circuit Court for the County of Ingham, State of Michigan, is removed therefrom to this Court.

Respectfully submitted,

DYKEMA GOSSETT PLLC

By:

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Dated: August 25, 2004